

REQUESTING AGENCY CASE NO.  
1169228

**CALIFORNIA DEPARTMENT OF JUSTICE**  
**BUREAU OF FORENSIC SERVICES**  
RIVERSIDE LABORATORY  
7425 Mission Blvd. Riverside, CA 92509  
Phone No. (951) 361-5000 FAX No. (951) 361-5010

BFS CASE NUMBER  
RI-11-010115-01

P11169228

ATTN: Detective Sanfilippo  
Riverside Police Department  
10540 Magnolia Ave, Suite B  
Riverside, CA 92505

COPIES: AGENCY ONLY

**PHYSICAL EVIDENCE EXAMINATION REPORT**

SUSPECT: ALFRED DE LA TORRE-ROMO

OFFENSE: OIS

OFFICER: PHILLIP FERNANDEZ; LAURA ELLEFSON

OFFENSE DATE: NOVEMBER 16, 2011

*I, the undersigned, declare under penalty of perjury: (1) I am employed by the State of California, Department of Justice (DOJ), Bureau of Forensic Services; (2) I conducted an examination of the material described below in the ordinary course of my work as a qualified examiner, according to approved laboratory procedures that include creation of contemporaneous documentation and the technical review of my work; (3) The observable data is set forth in the associated laboratory case record; (4) Any opinions, interpretations, or conclusions in this report are based upon data in the associated laboratory case record and findings listed below.*

*Note: This laboratory report has been prepared and retained by DOJ in the normal course of business according to DOJ's regular practices and procedures. The Department of Justice Laboratory is accredited by the American Society of Crime Laboratory Directors / Laboratory Accreditation Board (ASCLD/LAB).*

SUMMARY/RESULTS

The Glock pistol in Item SF03 functioned properly during examination and test firing. It fired the fourteen cartridge cases in Items BL10, BL12 through BL16, BL18 through BL21, BL23, BL42, BL55, and BL56.

The Glock pistol in Item SF04 functioned properly during examination and test firing. It fired the nine cartridge cases in Items BL01, BL02, BL06 through BL09, BL26, BL27, and BL40.

Either pistol or any other pistol(s) with similar barrel rifling could have fired the bullets in Items A07, BL25, BL29, and BL35. Either pistol or any other pistol with polygonal rifling could have fired the bullet in Item BL28. The bullet core in Item A08 is consistent with having been fired from a .40/10mm caliber gun with polygonal rifling.

EVIDENCE

Robinson of the Riverside Police Department submitted the following items on December 1, 2011:

<u>Item</u>	<u>Description</u>
A07	bullet from De La Torre-Romo
A08	bullet from De La Torre-Romo
BL01	.40 S&W cartridge case
BL02	.40 S&W cartridge case
BL03	live cartridge (listed as cartridge case on submission form)
BL06	.40 S&W cartridge case
BL07	.40 S&W cartridge case
BL08	.40 S&W cartridge case
BL09	.40 S&W cartridge case
BL10	.40 S&W cartridge case

BFS 6

<u>Item</u>	<u>Description</u>
L12	.40 S&W cartridge case
L13	.40 S&W cartridge case
BL14	.40 S&W cartridge case
BL15	.40 S&W cartridge case
BL16	.40 S&W cartridge case
BL18	.40 S&W cartridge case
BL19	.40 S&W cartridge case
BL20	.40 S&W cartridge case
BL21	.40 S&W cartridge case
BL23	.40 S&W cartridge case
BL25	bullet from scene
BL26	.40 S&W cartridge case
BL27	.40 S&W cartridge case
BL28	bullet from scene
BL29	bullet from scene
BL33	listed as Remington 12 gauge shotgun
BL33A	listed as shotshell and pellets
BL35	bullet from scene
BL36	listed as Sterling .25 Auto pistol
BL36A	listed as cartridge and magazine with 2 cartridges
BL40	.40 S&W cartridge case
.42	.40 S&W cartridge case
BL55	.40 S&W cartridge case
BL56	.40 S&W cartridge case
RAG003	listed as expended 12 gauge shotshell
SF02	listed as two magazines and cartridges from SF03
SF03	Glock model 23, caliber .40 S&W semi-automatic pistol, SN [REDACTED] and magazine containing 13 cartridges
SF04	Glock model 23, caliber .40 S&W semi-automatic pistol [REDACTED]
SF05	magazine containing 5 cartridges and magazine containing 13 cartridges from pistol in SF04 (ammunition not listed on submission form)

## EXAMINATION

### **Officer's Pistols**

The Glock pistol in Item SF03 has a hexagonal rifled barrel with a right twist. Its safeties and disconnecter are functioning. It has a trigger pull of 5 ¾ pounds. The magazine also in Item SF03 has a capacity of 13 cartridges. I test fired the pistol using Laboratory ammunition. It functioned properly during examination and test firing.

The Glock pistol in Item SF04 has a hexagonal rifled barrel with a right twist. Its safeties and disconnecter are functioning. It has a trigger pull of 5 ¾ pounds. I test fired the pistol using one of the magazines in Item SF05 and Laboratory ammunition. The magazine has a capacity of 13 cartridges. The pistol functioned properly during examination and test firing.

Item SF05 contains a Glock magazine containing 5 cartridges and a second Glock magazine containing 13 cartridges. I did not examine Item SF02.

**Cartridge cases**

I microscopically compared the twenty three cartridge cases to those test fired from the two Glock pistols. I observed corresponding breechface marks on the test-fires from the Glock pistol in Item SF03 and cartridge cases BL10, BL12 through BL16, BL18 through BL21, BL23, BL42, BL55, and BL56. The pistol fired these fourteen cartridge cases. I observed corresponding firing pin impressions on the test-fires from the Glock pistol in Item SF04 and cartridge cases BL01, BL02, BL06 through BL09, BL26, BL27, and BL40. The pistol fired these nine cartridge cases.

I inventoried, but did not examine the live cartridge in Item BL03.

**Bullets**

I microscopically examined the bullets test fired from the two Glock pistols. They have similar class characteristics, but have insufficient detail for identification. Furthermore, they have insufficient detail to distinguish between bullets fired from the two pistols. The lack of detail is typical of bullets fired from a polygonal rifled barrel.

The jacketed hollow point bullets in Items A07, BL25, BL29, and BL35 are .40/10mm caliber with hexagonal rifling impressions with a right twist. The type, number, and direction of twist of the rifling impressions are similar to both Glock pistols. Either pistol or any other pistol(s) with similar barrel rifling could have fired them.

The jacketed hollow point bullet in Item BL28 is also .40/10mm caliber. It has polygonal rifling impressions with a right twist, but damage to it prevented me from determining the number. Either pistol or any other pistol with polygonal rifling could have fired it.

The bullet core in Item A08 is consistent with having been fired from a .40/10mm caliber gun with polygonal rifling.

**Suspect's Guns**

I did not examine Items BL33, BL33A, BL36, BL36A, and RAG003 under this request.

DISPOSITION

The following items will remain at the Laboratory pending analysis: BL33, BL33A, BL36, BL36A, and RAG003. The test-fires, SF03-TF and SF04-TF, will be stored at the Laboratory for five years. All remaining items will be returned to the appropriate agency.

EXAMINED BY: *Michele Nichols*  
Michele Nichols  
Senior Criminalist

Date of Report: December 13, 2011

Technical review by: *BM* Date: *12/14/11*

Administrative review by: *MS* Date: *1/23/12*  
LN : mln

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BFS CASE NUMBER  
RI-11-010115-02

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**PHYSICAL EVIDENCE EXAMINATION REPORT**

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OFFENSE: OIS

OFFICER: PHILLIP FERNANDEZ; LAURA ELLEFSON

OFFENSE DATE: NOVEMBER 16, 2011

*I, the undersigned, declare under penalty of perjury: (1) I am employed by the State of California, Department of Justice (DOJ), Bureau of Forensic Services; (2) I conducted an examination of the material described below in the ordinary course of my work as a qualified examiner, according to approved laboratory procedures that include creation of contemporaneous documentation and the technical review of my work; (3) The observable data is set forth in the associated laboratory case record; (4) Any opinions, interpretations, or conclusions in this report are based upon data in the associated laboratory case record and findings listed below.*

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SUMMARY/RESULTS

The Remington shotgun in Item BL33 functioned properly during examination and test firing. It fired the shotshell in Item BL33A, but did not fire the shotshell in Item RAG003.

The Sterling Arms pistol in Item BL36 functioned properly during examination and test firing.

EVIDENCE

Robinson of the Riverside Police Department submitted the following items on December 1, 2011:

Item	Description
BL33	Remington model 1100, caliber 12 gauge semi-automatic shotgun, SN [REDACTED]
BL33A	expended shotshell*
BL36	Sterling Arms model not indicated, caliber .25 Auto semi-automatic pistol, SN [REDACTED]
BL36A	magazine for pistol containing 2 cartridges and one loose cartridge
RAG003	expended shotshell

\*The submission form lists "and 9 pellets", however no pellets were submitted. The side of the expended shotshell is marked "9 pellets" indicating the shot size.

EXAMINATION

The Remington shotgun in Item BL33 has possible blood covering much of its exterior. Its safety and disconnecter are functioning. It has a single action trigger pull of 3½ pounds. It has a tubular magazine with a capacity of 4 shotshells. I test fired it using Laboratory ammunition. It cycled and functioned properly during examination and test firing. I searched one of the test-fires against the National Integrated Ballistic Information network (NIBIN) database with negative results. It will remain in the database to be searched against new shotshell entries. If an identification is made you will be notified. During the examination, I chipped a corner of the shotgun's plastic butt plate.

The expended shotshell in Item BL33A is Winchester brand Super X®. It is 12 gauge, 2¾ inch, red ribbed plastic labeled to have contained #9 shot. I microscopically compared it to those test fired from the Remington shotgun. I observed corresponding breechface marks. The shotgun fired the shotshell.

The expended shotshell in Item RAG003 is labeled "Peter P.A.N". It is 12 gauge, 3 inch, red ribbed plastic labeled "HI<sup>(unintelligible)</sup>Y Blank". I microscopically compared it to those test fired from the Remington shotgun. I observed different firing pin impression shapes. The shotgun did not fire the shotshell. I searched it against the NIBIN database with negative results. It will remain in the database to be searched against new cartridge case entries. If an identification is made you will be notified.

The Sterling Arms pistol in Item BL36 has a barrel rifled with ten lands and grooves with a right twist. Its safety and disconnecter are functioning. Its magazine in Item BL36A has a capacity of 7 cartridges. I test fired it using Laboratory ammunition. It functioned properly during examination and test firing. I searched one of the test fired cartridge cases against the NIBIN database with negative results. It will remain in the database to be searched against new cartridge case entries. If an identification is made you will be notified.

I inventoried, but did not examine the three cartridges in Item BL36A.

DISPOSITION

The test-fires, Items BL33-TF and BL36-TF, will be stored at the Laboratory for five years. All remaining items will be returned to the appropriate agency.

Date of Report: January 4, 2012

EXAMINED BY: Michele Nichols  
Michele Nichols  
Senior Criminalist

Technical review by: BA Date: 1/10/12

Administrative review by: MCS Date: 1/23/12  
MLN : mln

